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GOVERNMENT OF KERALA

Home (H) Department

NOTIFICATION

G. O. (P) No. 26/2026/Home. Dated, Thiruvananthapuram, 5th March, 2026

21st Kumbham, 1201

S. R. O. No. 312/2026

14th Phalguna, 1947

In exercise of the powers conferred by sub-section (1) of section 2 read with section 3 of the Kerala Public Services Act, 1968 (19 of 1968) and in partial modification of the notification issued under G.O.(P) No.649 dated



26th May, 1958 and published as S.R.O.No.37 in the Kerala Gazette No.21 dated 27th May, 1958, the Government of Kerala hereby makes the following rules further to amend the Kerala Police Departmental Inquiries, Punishment and Appeal Rules, 1958, namely:-

RULES

1. *Short title and commencement.*- (1) These rules may be called the Kerala Police Departmental Inquiries, Punishment and Appeal(Amendment) Rules, 2026.

(2) They shall come into force at once.

2. *Amendment of the Rules.*- In the Kerala Police Departmental Inquiries, Punishment and Appeal Rules, 1958, -

(1) in rule 6, - (i) in sub rule (5), after the existing proviso, following proviso shall be inserted, namely:-

"Provided further that the Inquiry Officer may conduct the entire enquiry or part thereof in electronic mode in unavoidable circumstances";

(ii) in sub rule (10), in sub-clause (i) of clause (b) for the symbol, word,brackets and letters "(h) and (i)" the symbol, word, brackets and letters "and (h)" shall be substituted.

(2) in rule 8, after sub-rule (3), the following sub rule shall be inserted, namely:-

"(4) When it is found that the inquiry has overlooked some important evidence, competent authority may order with reasons, a de novo inquiry by the same inquiry officer or by another officer".



(3) rule 10, shall be substituted with the following;

"10. Finalization of departmental inquiry regarding matters pending before a court.-

It shall be competent for a disciplinary authority to issue a final order in a departmental inquiry which is sub judice.

provided the matter before court/s is pending for long except wherein the petitioner in such case is delinquent officer himself.

provided further that disciplinary authority shall record the reasons in writing justifying the finalization of such inquiry.

provided further that the final order in such departmental inquiry shall not have any bearing in the matter pending before the court.

provided further that any departmental inquiry is pending finalization on account of subsistence of a case in a court when the member of service is to retire on superannuation in 180 days, the same shall be considered as a long pending case.

provided further that no disciplinary authority will exercise power under this provision, if specifically prohibited by a court".

(4) in rule 12,- (i) for the symbol, word, brackets and letters “(h) and(i)” the symbol, word, brackets and letters “and (h)” shall be substituted .



(ii) in the proviso to rule 12, for the symbol, word, brackets and letters“(h) and (i)”, the symbol, word, brackets and letters “ and (h)” shall be substituted;

(iii) after the existing proviso of sub rule (b), the following sub rules shall be inserted, namely:-

"12(1) A copy of the inquiry report / Punishment Roll minutes shall be supplied to the delinquent officer by the disciplinary authority at the stage of drawing up of the same and the delinquent shall have the right to offer his explanation on the findings of the inquiry report and as to why the inquiry report cannot be accepted.

12(2) A competent authority, to which the report of Inquiry under rule 6 or rule 12 is submitted for disposal, may agree or disagree with the report of the Inquiry Officer. When the findings in the Inquiry report is disagreed with, the reasons for the same shall be recorded in writing."

(5) in rule 15, (i) in sub- rule (1),-

(a) for clause (g), the following clause shall be substituted, namely:-

“(g) Withholding of increments without cumulative effect”.

(b) for clause (ja), the following clause shall be substituted, namely:-

“(ja) Withholding of increments with cumulative effect or withholding of promotions temporarily”.

(c) after Note 4, the following Note shall be inserted, namely:-



“(5) Withholding of increments without cumulative effect shall not be less than three months and shall not be for more than three years. If the period is not specified in the order it will be deemed to be for three months. Withholding of increments without cumulative effect shall not have the effect of postponing future increments. Withholding increment with cumulative effect shall not be less than one year and the maximum period shall not be for more than three years. Withholding increment with cumulative effect shall have the effect of postponing future increments. Withholding of promotions temporarily shall not be less than six months and not more than three years”;

(ii) after sub-rule (2), the following sub-rule shall be inserted,namely:-“(3) The penalties in items (a), (b) and (c) in sub-rule (1) of rule 15 shall be categorized as “Petty Penalties”, those in items (d), (e),(f), (g) and (h) as “Minor Penalties” and those in items (i), (j), (ja), (k),(l) and (m) as “Major Penalties”. ”;

(6) in rule 17,- (i) in clause (b) of sub-rule (i), before the symbol,brackets and letters “(j), (k), (l) and (m)” the brackets, letter and symbol “(g), (i) ” shall be inserted;

(ii) in clause (c) of sub-rule (i), for the words, brackets, letters, figures and symbol “clauses (j) to (m) of sub-rule (1) of rule 15” the words,brackets, letters, figures and symbol “clauses (i) to (m) of sub-rule (1)of rule 15” shall be substituted;

(iii) after sub-rule (vi), the following sub-rule shall be inserted,namely.-

“(vii) A summary proceedings under rule 12 is to be completed within two months and an inquiry under rule 6 is to be completed within six months. However, this stipulation being a general guideline will not confer any right on a member of the



service and no person will have a right to be exonerated of charges solely on the ground that the Inquiry was not completed within the stipulated time limit";

(7) rule 34, shall be omitted.

(8) in rule 35, in sub-rule (1), in sub clause (iii) of clause (c) for the words, brackets, letters, figures and symbols "clauses (j), (ja), (k), (l) and (m) of sub-rule (1) of rule 15" the words, brackets, letters, figures and symbols "clauses (i), (j), (ja) (k), (l) and (m) of sub-rule (1) of rule 15" shall be substituted;

(9) in rule 36 C, the following provisos shall be inserted, namely:-

"Provided that Government may entertain an application made after the expiry of the said period, if they are satisfied that the applicant had sufficient cause for not preferring the application within the period.

Provided further that Government, if desires, may suo moto review its original order."

(10) in the ANNEXURE appended to the rules,-

(i) in column (13), against Sl.No.5 the word 'appeal' wherever it occurs, shall be omitted;

(ii) for the entries in column (2) against Sl.No.6, the following entries shall be substituted, namely:-

"Sub Inspector of Police, Assistant Sub Inspector of Police and corresponding ranks respectively";



(iii) in column (13), against Sl.No.6 the word ‘appeal’ wherever it occurs, shall be omitted;

(iv) in column (2), against Sl.No.7 the words “Grade Head Constables” shall be omitted;

(v) in column (13), against Sl.No.7 the word ‘appeal’ shall be omitted.

By order of the Governor
BISHWANATH SINHA
ADDITIONAL CHIEF SECRETARY.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Sub-rule (5) of rule 6 permits oral inquiry to a member of the service if the member desires to have an oral inquiry or if the inquiry officer deems it necessary to conduct an oral inquiry or if the competent authority directs so. In the wake of advancement in technology, for the speedy disposal of disciplinary proceedings, Government have decided to empower the inquiry officer to conduct oral inquiry through electronic mode in unavoidable circumstances.

As per sub-rule (10) (b) of rule 6, provisions of the said rule; viz rule 6 are not applicable in case of penalties specified in clauses (a) to (i) of sub - rule (1) of rule



15. Government have decided to exclude the penalty specified in clause (i) of sub-rule(1) of rule 15; viz reduction of pension, from the purview of such exemption.

In order to rectify major lacunae in the conduct of departmental inquiry, a provision for de novo inquiry by the same inquiry officer or another officer is intended to be included by amending rule 8.

The Hon'ble Supreme Court in State of Rajasthan Vs. B.K. Meena and others (1996 (6) SCC 417) had observed that the standard of proof, the mode of inquiry and the rules governing the enquiry and trial in disciplinary proceedings and criminal trial are entirely distinct and different and that staying of disciplinary proceedings pending criminal proceedings may require reconsideration if the criminal case gets unduly delayed. On the basis of the same, Government have decided to make it competent for the disciplinary authority to issue final orders in a departmental inquiry which is sub judice subject to the conditions laid down under rule 10.

Government have decided to dispense with the summary procedure under rule 12 in the case of penalty specified in clause (i) of sub-rule(1) of rule 15, i.e, reduction of pension. As per the direction of the Hon'ble Supreme Court in Managing Director, Ecil Hyderabad Vs. B.Karunakar and others (1993(4) SCC 727), Government also intends to include a provision to reserve the right of the delinquent employee to receive a copy of the inquiry officer's report, before the disciplinary authority arrives at its conclusions with regard to the guilt or innocence of the employee on to the charges levelled against him. Penalties of reduction of pension and withholding of promotion has been classified as major penalties under rule 15. Subsequent amendments have been effected in rule 17 and



rule 35 also. As the major and minor penalties are not expressly classified in the rules, Government finds it necessary to classify the same to avoid any ambiguity. Hence a provision regarding classification of penalties into petty, minor and major has also been included in the rules by amending rule 15. A provision prescribing the time limit for completion of summary procedure under rule 12 and an inquiry under rule 6 is also incorporated.

Government have decided to omit rule 34 which provides that in case of an appeal under rules 24 and 25, the appellate authority shall pass such order as appears to it just and equitable having regard to all circumstances of the case as the latter two rules already stood deleted.

Rule 36 C provides that Government may review an order passed by them on the application of the person concerned, within a period of two months from the date of the order. Government have intended to include provision to entertain the application for review made after the said period if the Government is satisfied that such delay was due to sufficient cause. Identifying disciplinary authorities based on the actual designation of the delinquent instead of grade designations is felt necessary to avoid discrepancies and hence amendments are to be made in the corresponding entries in the Annexure to the rules also.

The notification is intended to achieve the above object.

